

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

THE FARMWORKER ASSOCIATION OF
FLORIDA INC., *et al.*,

Plaintiffs,

v.

RONALD D. DESANTIS, in his official capacity as
Governor of the State of Florida, *et al.*,

Defendants.

Case No. 23-CV-22655-RKA

PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY

Plaintiffs inform the Court of a decision this week by the Fifth Circuit, holding that a Texas immigration law is likely preempted. *United States v. Texas*, 2024 WL 1297164 (5th Cir. Mar. 26, 2024) (Richman, C.J.). The Texas law regulates the entry of immigrants into Texas, as Section 10 regulates the transport of immigrants into Florida. The Fifth Circuit recognized precisely the same “cause of action in equity” asserted here. *Id.* at *3-4. It recognized that, like here, it only needed to find standing for one plaintiff. *Id.* at *3 & n.28. It rejected the State’s attempts to evade the straightforward application of binding field preemption precedent. *Id.* at *12-13; Dkt. 67, PI Reply, 5-6. And it found the same conflicts as here, like unilateral status determinations and mismatch between state and federal law. *Id.* at *15-18; Dkt. 24-1, PI Memorandum, 6-11.

The Fifth Circuit’s ruling underscores that Section 10 is preempted and should be enjoined. The preliminary injunction motion has now been fully briefed for over six months. Plaintiffs respectfully request that the Court decide the motion at the earliest possible time, and

are available for a status conference should that assist the Court in resolving any outstanding questions.

Dated: March 29, 2024

Respectfully submitted,

/s/ Amien Kacou
On behalf of Attorneys for Plaintiffs

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